

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION

A.F. McCAULEY,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 2:01CV00080
v.	)	Consolidated with
	)	Civil Action No. 2:02CV00054
PURDUE PHARMA L.P., et al.,	)	for Pretrial Purposes
	)	
Defendants.	)	
_____	)	James P. Jones
	)	United States District Judge
CHARLES C. BRUMMETT, et al.,	)	
	)	
Plaintiffs,	)	Pamela Meade Sargent
	)	United States Magistrate Judge
v.	)	
	)	
PURDUE PHARMA L.P., et al.,	)	
	)	
Defendants.	)	
_____	)	

PURDUE’S MOTION TO COMPEL DISCOVERY OF TAX RETURNS  
AND SOCIAL SECURITY RECORDS

Pursuant to Fed. R. Civ. P. 37(d), defendants Purdue Pharma L.P., Purdue Pharma Inc., The Purdue Frederick Company, The Purdue Pharma Company, and The P.F. Laboratories, Inc. (collectively “Purdue”), by counsel, hereby move the Court for an order compelling discovery of tax returns and Social Security records, and, in support, state as follows:

1. In prior requests for production, Purdue has asked plaintiffs to produce their tax returns for certain years and documents involving any claim for Social Security disability benefits. See Request for Production dated May 16, 2002, ¶¶ 15 and 16.

2. Since that time, plaintiffs have repeatedly promised – both orally and in writing – to provide this information to Purdue, but, so far, plaintiffs have yet to produce the following:

McCauley: Tax returns for 1998-2002 and 2002-present. Any Social Security disability files.

Brummett: Social Security disability files.

Deckard: Tax returns for 1996, 1999, and 2001-present.

Matney: Tax returns for 1996-present. Social Security disability files.

3. Discovery is scheduled to close April 30, 2004.

WHEREFORE, Purdue moves the Court for entry of the attached order compelling production.

/s/ Wade W. Massie  
Wade W. Massie  
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CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Not applicable as no other attorneys are registered; and I further certify that I have faxed and mailed by United States Postal Service the document to the following non-CM/ECF participants: Emmitt F. Yeary, Esq., Yeary & Associates, P.C., 161 East Main Street, Abingdon, Virginia 24210; Neil L. Henrichsen, Esq., Henrichsen Siegel, P.L.L.C., 1850 M Street, N.W., Suite 250, Washington, D.C. 20036, and Douglas McNamara, Esq., Cohen Millstein Hausfeld & Toll, P.L.L.C., West Tower, Suite 500, 1100 New York Avenue, N.W., Washington, D.C. 20005-3964, counsel for plaintiffs.

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